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**IN THE UNITED STATES BANKRUPTCY COURT**  
**FOR THE DISTRICT OF DELAWARE**

In re: ) Case No.: 01-01139  
W.R. GRACE & CO., et al., ) Claim Number 2281  
Debtor. ) **Supplement to formal**  
 ) **response to the "Debtors'**  
 ) **fifth omnibus objection to**  
 ) **claims (substantive)".**

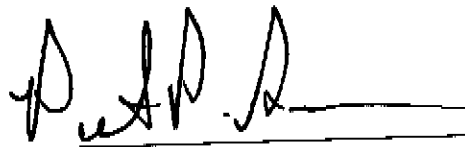
Peter P. Pearson, creditor, against the above  
entitled debtors hereby submits a Supplement to his  
formal response to the "Debtors' fifth omnibus  
objection to claims (substantive)".

After contacting W.R. Grace Chemicals, the Creditor  
was able to secure some of the MSDS forms that were  
from the original G.R.M products. These products have  
since been discontinued; specifically, **Xylene** and  
**Toluene** and **Ethyl benzene** chemicals that were a base to  
the coating and primers that Creditor used. (**Exhibit 1:**  
**G.R.M. MSDS sheets**).

1 Creditor has also attached e-mail correspondence  
2 W.R. Grace representative John J. Henningson, (**Exhibit**  
3 **2: E-mail correspondence**).

4 These documents are attached as supplements and  
5 must be considered part of the original response that  
6 Creditor filed. (**Exhibit 3**)  
7

8  
9 Respectfully Submitted this 28 day of May, 2004.

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12 Peter P. Pearson  
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1 Original and three (3) copies  
2 Of the forgoing sent this  
3 24 day of May, 2004.

4 To:

5  
6 United States Bankruptcy Court  
7 District of Delaware  
8 Attn: Clerk of the Court  
9 824 Market Street  
10 Wilmington, Delaware. 19801

11 **CERTIFIED MAIL NUMBER: 7000-0600-0029-2649-3129**

12 One copy of the foregoing  
13 Sent this 28 day of May, 2004

14 To:

15  
16 Kirkland & Ellis LLP  
17 200 E. Randolph Drive  
18 Chicago, Illinois. 60601  
19 Attn: Rachel R. Schulman

20 **CERTIFIED MAIL NUMBER: 7000-0600-0029-2649-3112**

21  
22  
23 -And-  
24  
25

1 Pachulski, Stang, Ziehl, Young, Jones & Weintraub,  
2 P.C.  
3 919 North Market Street, 16<sup>th</sup> Floor  
4 P.O. Box 8705  
5 Wilmington, Delaware. 19899-8705  
6 Attn: David W. Carickhoff, Jr.

7  
8 **CERTIFIED MAIL NUMBER: 7003-0500-003-3706-2529**  
9  
10  
11  
12  
13  
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16 Dated this 25<sup>th</sup> day of May,  
17 2004

18  
19 By: 

20 Peter P. Pearson  
21 P.O. Box 26301  
22 Tucson, AZ. 85726  
23 (520) 247-1535  
24 E-mail:  
25 drp2p@yahoo.com

# **EXHIBIT 1**

**G.R.M. MSDS sheets**

**W. R. GRACE**  
**MATERIAL SAFETY DATA SHEET**

Product Name: Waterproofing Membrane  
MSDS ID Number: M-85707

MSDS Date: 06/18/2003

**SECTION 1 - CHEMICAL PRODUCT AND COMPANY IDENTIFICATION**

**Product Name:** Waterproofing Membrane  
**MSDS Number:** M-85707  
**Cancelled MSDS Number:** M-85703  
**MSDS Date:** 06/18/2003  
**Chemical Family Name:** Rubberized Asphalt Adhesive Sheet with Film and/or Mesh Comprising Various Components.  
**Product Use:** Waterproofing Membrane.  
**Chemical Formula:** Mixture-NA  
**CAS # (Chemical Abstracts Service Number):** Mixture-NA

**Manufactured by:**

W.R.Grace & Co.-Conn.  
62 Whittemore Avenue  
Cambridge, MA 02140

Grace Canada, Inc.  
294 Clements Road West  
Ajax, Ontario L1S 3C6

**In Case of Emergency Call:**

In USA: (617) 876-1400 In Canada: (905) 683-8561

**SECTION 2 - COMPOSITION/INFORMATION ON INGREDIENTS**

<b>Ingredient</b>	<b>CAS#</b>	<b>Percent (max)</b>
Heavy Paraffinic Distillate Solvent Extract	064742-04-7	10-25
Petroleum Asphalt	008052-42-4	50-100
Styrene-Butadiene block copolymer	009003-55-8	10-25

**SECTION 3 - HAZARDS IDENTIFICATION****Emergency Overview:****Warning!**

Eye contact with rubberized asphalt residue on hands can cause irritation.  
Skin contact with rubberized asphalt can cause irritation.  
May be harmful if ingested.  
May be harmful if absorbed through skin.  
May cause teratogenic effects.  
May produce local skin tumors.  
Removal of release liner may generate a static electrical discharge (spark).  
Release liners are slippery. Remove from work area immediately.

**W. R. GRACE**  
**MATERIAL SAFETY DATA SHEET**

Product Name: Waterproofing Membrane  
MSDS ID Number: M-85707

MSDS Date: 06/18/2003

**HMIS Rating:**

Health:	2*
Flammability:	1
Reactivity:	0
Personal Protective Equipment:	B (See Section 8)

**Potential Health Effects:**

**Inhalation:**

Due to the physical nature of this product, inhalation is unlikely.

If heated, inhalation of vapor causes irritation, sore throat, coughing and breathing difficulty.

Effects include: Nausea, headache, dizziness and irritation.

**Eye Contact:**

Eye contact with rubberized asphalt residue on hands can cause irritation

**Skin Contact:**

Skin contact causes irritation.

Prolonged skin contact can result in dermatitis.

Contact with petroleum oils in this product, may produce serious toxic effects including skin cancer, liver damage, blood effects and effects on the unborn based on tests with laboratory animals. Animal tests indicate that prolonged and repeated skin contact to the oils in this product may produce local skin tumors.

Individuals with pre-existing skin disorders may be at increased risk for worsening their condition from exposure to this product.

**Skin Absorption:**

Product can be absorbed through the skin upon prolonged contact resulting in systemic effects such as nausea, headache, and general discomfort.

**Ingestion:**

Due to the physical nature of this product, ingestion is unlikely.

If ingested, causes burns to the linings of the mouth, esophagus and stomach.

Effects include: Nausea, vomiting and diarrhea.

Wash hands before eating.

**W. R. GRACE**  
**MATERIAL SAFETY DATA SHEET**

Product Name: Waterproofing Membrane  
MSDS ID Number: M-85707

MSDS Date: 06/18/2003

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**SECTION 4 - FIRST AID MEASURES:****Skin Contact:**

In case of skin contact, clean fingernails and wash skin with soap and water. If residue remains, clean with waterless hand-cream or abrasive soap. Never use solvents.  
If discomfort or irritation persists, consult a physician.  
Remove contaminated clothing and wash before reuse.

**Eye Contact:**

Flush eyes with water for at least 15 minutes while holding eyelids open.  
Get immediate medical attention.

**Ingestion:**

If swallowed, contact a physician immediately.  
Never give anything by mouth to an unconscious person.  
The decision to induce vomiting should only be made by a physician.

**Inhalation:**

If symptoms develop, get fresh air. If symptoms persist, consult a physician.  
If breathing has stopped, give artificial respiration then oxygen if needed.  
Get immediate medical attention.

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**SECTION 5 - FIRE AND EXPLOSION HAZARD DATA**

<b>Flash Point:</b>	>210C (>410F)
<b>Flash Point Method:</b>	Open Cup
<b>Lower Explosion Limit:</b>	Not Available
<b>Upper Explosion Limit:</b>	Not Available
<b>Auto-Ignition Temperature:</b>	Not Available

**NFPA Rating:**

<b>Health:</b>	1
<b>Flammability:</b>	1
<b>Reactivity:</b>	0

**Extinguishing Media:** In case of fire, use water spray, dry chemical, Carbon dioxide or foam.

**Special Fire Fighting Procedures:**

Wear self-contained breathing apparatus and complete personal protective equipment when potential for exposure to vapors or products of combustion exist. Avoid breathing hazardous vapors or products of combustion, keep upwind. Isolate area and keep unnecessary people away. Prevent run-off from fire control or dilution from entering streams or drinking water supplies.



**W. R. GRACE**  
**MATERIAL SAFETY DATA SHEET**

Product Name: Waterproofing Membrane  
MSDS ID Number: M-85707

MSDS Date: 06/18/2003

**Unusual Fire and Explosion Hazards:**

None unless noted below.

Removal of release paper may create a static electric discharge (sparks). Do not remove where sparks may ignite flammable vapors.

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**SECTION 6 - ACCIDENTAL RELEASE MEASURES:**

**Spills/Leaks:**

Due to the physical nature of this product, spills are not possible.

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**SECTION 7 - HANDLING AND STORAGE**

**Precautionary Measures:**

Avoid contact with eyes, skin and clothing.

Practice good personal hygiene to avoid ingestion.

Use only with adequate ventilation.

Wash clothing before reuse.

Slippery when wet or covered with frost.

Do not apply where membrane odors may penetrate living areas.

To avoid skin contact, use gloves or barrier creams. Promptly cleanse hands with waterless hand cleaner, clean fingernails and wash with soap and water after handling.

Release liners are slippery. Remove from work area immediately after membrane application.

Consistent with good roofing practice, always wear fall protection when working on roof decks.

FOR PROFESSIONAL USE ONLY. KEEP OUT OF CHILDREN'S REACH.

**W. R. GRACE**  
**MATERIAL SAFETY DATA SHEET**

Product Name: Waterproofing Membrane  
 MSDS ID Number: M-85707

MSDS Date: 06/18/2003

**SECTION 8 - EXPOSURE CONTROLS AND PERSONAL PROTECTIVE EQUIPMENT**

**EXPOSURE GUIDELINES (US)**

Ingredient	ACGIH TLV			OSHA PEL			Other
	TWA	STEL	Ceiling	TWA	STEL	Ceiling	
Heavy Paraffinic Distillate Solvent Extract	-	-	-	-	-	-	-
Petroleum Asphalt	0.5 mg/m <sup>3</sup> TWA (inhalable fraction); (as benzene-soluble aerosol)	-	-	-	-	-	-
Styrene-Butadiene block copolymer	-	-	-	-	-	-	-

**EXPOSURE GUIDELINES (CANADA)**

Employers should consult local Provincial regulatory limits for exposure guidelines, which may vary locally.

**Engineering Controls:** Not generally required.

**Personal Protective Equipment:**

**Respiratory Protection:** Respiratory protection is not generally required. If exposure limits are exceeded, wear approved respiratory protection.

**Skin Protection:** Use oil impervious gloves to avoid prolonged or repeated contact with rubberized asphalt residue.

**Eye Protection:** Not required for normal use.

**W. R. GRACE**  
**MATERIAL SAFETY DATA SHEET**

Product Name: Waterproofing Membrane  
 MSDS ID Number: M-85707

MSDS Date: 06/18/2003

**Work/Hygienic Practices:** Use good personal hygiene practices.

Avoid rubbing eyes while handling. Due to the physical nature of this product, ingestion is unlikely. Incidental ingestion of residue on hands can be avoided by using good personal hygiene practices.

This product contains compounds subject to exposure guidelines and/or identified as carcinogens. (See Sections 8 and 11). However, due to the physical nature of this product, these compounds are unlikely to reach exposure limits unless airborne dust or spray mist is created. To avoid skin contact, wear recommended gloves (see skin protection recommendation) and wash with soap and water after handling. Intermittent or occasional skin contact with petroleum asphalt is not expected to have serious health effects as long as good personal hygiene measures are taken. Promptly cleanse with waterless hand cleaner, clean fingernails and wash with soap and water after handling. All employees working with this product must exercise good and prudent personal hygiene practices.

## **SECTION 9 - PHYSICAL AND CHEMICAL PROPERTIES**

<b>Physical State:</b>	Liquid
<b>Appearance/Odor:</b>	A black, rubberized asphalt adhesive layer on a grey/black plastic sheet with a paper or plastic release sheet. Petroleum odor.
<b>Odor Threshold: (ppm)</b>	Unknown
<b>pH:</b>	Not Applicable
<b>Vapor Pressure: (Mm Hg)</b>	Not Applicable
<b>Vapor Density: (Air = 1)</b>	Not Applicable
<b>Solubility In Water:</b>	Negligible
<b>Specific Gravity: (Water = 1)</b>	1.0 - 1.1
<b>Evaporation Rate: (Butyl Acetate = 1)</b>	Not Applicable
<b>Boiling Point:</b>	Not Applicable
<b>Viscosity:</b>	Not Available
<b>Bulk Density: (Pounds/Cubic Foot)(Pcf)</b>	~70
<b>% Volatiles (gr/L): (70°F) (21°C)</b>	Negligible

## **SECTION 10 - STABILITY AND REACTIVITY**

<b>Chemical Stability:</b>	Stable
<b>Conditions To Avoid:</b>	Heat, Oxidizing materials, Strong oxidizers and Water.
<b>Hazardous Polymerization:</b>	Will not polymerize.
<b>Hazardous Decomposition Products:</b>	Carbon dioxide, Carbon monoxide, Sulfur oxides and Low molecular weight hydrocarbons.

**W. R. GRACE**  
**MATERIAL SAFETY DATA SHEET**

Product Name: Waterproofing Membrane  
 MSDS ID Number: M-85707

MSDS Date: 06/18/2003

**SECTION 11 - TOXICOLOGICAL INFORMATION**

**Ingredient(No data unless listed.)**      **CAS Number**      **LD50 and LC50**

**Carcinogenicity:**

Ingredient	IARC Group 1	IARC Group 2A	IARC Group 2B	NTP Known	NTP Suspect	OSHA
Heavy Paraffinic Distillate Solvent Extract	No	No	No	No	No	No
Petroleum Asphalt	No	No	Yes	No	No	No
Styrene-Butadiene block copolymer	No	No	No	No	No	No

Animal tests indicate that prolonged and repeated skin contact with the asphalt in this product may produce local skin tumors.

**Mutagenicity:**

Not applicable.

**Teratogenicity:**

Petroleum oils in this product have caused effects on the unborn based on tests with laboratory animals.

**Reproductive Toxicity:**

Not applicable.

**SECTION 12 - ECOLOGICAL INFORMATION****Environmental Fate:**

No data available for product.

**Ecotoxicity:**

No data available for product.

**SECTION 13 - DISPOSAL CONSIDERATIONS****Waste Disposal Procedures:**

Consult all regulations (federal, state, provincial, local) or a qualified waste disposal firm when characterizing waste for disposal. According to EPA (40 CFR § 261), waste of this product is not defined as hazardous. Dispose of waste in accordance with all applicable regulations.

**SECTION 14 - TRANSPORTATION INFORMATION****Proper Shipping Name:**

Not Applicable

**UN/NA Number:**

Not Applicable

**Domestic Hazard Class:**

Nonhazardous

**Surface Freight Classification:**

Asphalt Mixture, N.O.I.B.N.

**Label/Placard Required:**

Not Applicable

**W. R. GRACE**  
**MATERIAL SAFETY DATA SHEET**

Product Name: Waterproofing Membrane  
MSDS ID Number: M-85707

MSDS Date: 06/18/2003

**SECTION 15 - REGULATORY INFORMATION****REGULATORY CHEMICAL LISTS:**

**CERCLA (Comprehensive Response Compensation and Liability Act):**  
**(None present unless listed below)**

<b><u>Chemical Name</u></b>	<b><u>CAS #</u></b>	<b><u>Wt %</u></b>	<b><u>CERCLA RQ</u></b>
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**SARA Title III (Superfund Amendments and Reauthorization Act)**

**SARA Section 312/Tier I & II Hazard Categories:**

Health Immediate (acute)	Yes
Health Delayed (chronic)	Yes
Flammable	No
Reactive	No
Pressure	No

**302 Reportable Ingredients (Identification Threshold 1%.):**

<b><u>Chemical Name</u></b>	<b><u>CAS #</u></b>	<b><u>Wt %</u></b>	<b><u>SARA 302 TPO</u></b>
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**313 Reportable Ingredients (Chemicals present below reporting threshold are exempt):**

<b><u>Chemical Name</u></b>	<b><u>CAS #</u></b>	<b><u>Wt %</u></b>
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**National Volatile Organic Compound Emission Standards For Architectural Coatings:**

**Volatile Organic Content:** (gr/L) Not Applicable

**WHMIS Classification(s):** D2 B

This product has been classified in accordance with the hazard criteria of the Controlled Products Regulations (CPR). This MSDS contains all the information required by the CPR.

**W. R. GRACE**  
**MATERIAL SAFETY DATA SHEET**

Product Name: Waterproofing Membrane  
 MSDS ID Number: M-85707

MSDS Date: 06/18/2003

**State Regulatory Information:**

**California Proposition 65:**

This product contains substances known to the state of California to cause cancer, birth defects or other reproductive harm.

**Massachusetts Hazardous Substance List(Identification threshold 0.001%(1ppm)):**

<u>Chemical Name</u>	<u>CAS #</u>	<u>Wt %</u>
Heavy Paraffinic Distillate Solvent Extract	064742-04-7	21

**New Jersey Hazardous Substance List(Identification threshold (0.1%)):**

<u>Chemical Name</u>	<u>CAS #</u>	<u>Wt %</u>
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**Pennsylvania Hazardous Substance List(Identification threshold 0.01%):**

<u>Chemical Name</u>	<u>CAS #</u>	<u>Wt %</u>
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**CHEMICAL INVENTORY STATUS:**

All chemicals in this product are listed or exempt from listing in the following countries:

US	CANADA		EUROPE	AUSTRALIA	JAPAN	KOREA	PHILIPPINES
TSCA	DSL	NDSL	EINECS/ELINCS	AICS	ENCS	ECL	PICCS
Yes	Yes	No	Yes	Yes	Not Determined	Yes	Yes

**W. R. GRACE**  
**MATERIAL SAFETY DATA SHEET**

Product Name: Waterproofing Membrane  
MSDS ID Number: M-85707

MSDS Date: 06/18/2003

**SECTION 16 - OTHER INFORMATION**

BITUTIENE® WATERPROOFING MEMBRANE 3000, 5000, 9004, 9016, 5004, 4008, 2000, 6000  
BITUTHENE® WATERPROOFING MEMBRANE 374, CP  
BITUTIENE® WATERPROOFING MEMBRANE STRIPS 3000, 5000, 3000-90  
BITUTHENE® LOW TEMPERATURE WATERPROOFING MEMBRANE, MEMBRANE STRIPS  
BITUTIENE® SYSTEM 4000 WATERPROOFING MEMBRANE, MEMBRANE STRIPS  
PERM-A-BARRIER® WALL FLASHING, PERM-A-BARRIER® WALL MEMBRANE,  
PERM-A-BARRIER® LOW TEMPERATURE MEMBRANE, PAB SYSTEM 4000  
GRACE ICE & WATER SHIELD®, PRMA MEMBRANE  
INSULWRAP P-300, P-400, P-460 AND P-500, PITTWAP CW  
GRACE® SELECT, VYCOR® V40 WEATHER BARRIER STRIPS, GRACE VYCOR® PLUS TAPES  
GRACE® BASIK™  
BITUSTIK™, HATCH TAPE, GRACE VYCOR DECK PROTECTOR

**Non-Hazardous Ingredient Disclosure:**

**Chemical Name**

**CAS Number**

<b>Prepared by:</b>	FH&S Department
<b>Approved by:</b>	EH&S Department
<b>Approved Date:</b>	06/18/2003

**Disclaimer:**

"The data included herein are presented in accordance with various environment, health and safety regulations. It is the responsibility of a recipient of the data to remain currently informed on chemical hazard information, to design and update its own program and to comply with all national, federal, state and local laws and regulations applicable to safety, occupational health, right-to-know and environmental protection."

M-85698 (Asia Pacific)

## MATERIAL SAFETY DATA SHEET

Page 1 of 8

**SECTION 1 - CHEMICAL PRODUCT AND COMPANY IDENTIFICATION**

MSDS PREPARED BY: Environmental Health Dept.-Grace Construction Products  
 W.R.Grace (Singapore) Pte. Ltd.  
 25 Tanjong Perjuru  
 Singapore 609024

Telephone Number for Information and Emergency Response

65-2653033

MSDS Number: M-85698 000001 Cancels MSDS # - New Date: 03/26/2002

**Trade Names and Synonyms:**

WATERPROOFING MEMBRANE (See Section 16  
 Of MSDS For Product ID/Trade Name)

(SEE SECTION 16 FOR ADDITIONAL  
 PRODUCT IDENTIFICATION)

**Chemical Names and Family:**

Rubberized Asphalt Adhesive Sheet With  
 Film and/or Mesh Comprising Various  
 Components

**Product Use:**

Waterproofing Membrane

**Formula:**

Mixture-NA

**CAS# (Chemical Abstract Service):**

MIXTURE-N/A

**SECTION 2 - HAZARDOUS INGREDIENT AND MAJOR COMPONENT INFORMATION**  
 (See Section 11 for Complete Chemical Names)

EXPOSURE LIMITS					
INGREDIENT:	Max. % By Wt.	OSHA	Exposure Limits		OTHER
			ACGIH		
ASPHALT	70.00	None Established	TLV 5 mg/m3 - TWA		NIOSH
CAS# 08052-42-4/ 64742-93-4			(Asphalt Fume)		5 mg/m3
Heavy Paraffinic	35.00	None Established	None Established	Vendor Recommended:	
Distillate Solvent Extract					0.2 mg/m3
CAS# 64742-04-7/ 64742-10-5					-TWA (mist)-

**EXPOSURE GUIDELINES - CANADA**

Employers should check with provincial regulatory agencies for exposure guidelines, which may vary locally.



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**SECTION 3 - HAZARDS IDENTIFICATION**

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**Emergency Overview:****Warning Statements:**

WARNING! MAY CAUSE SLIGHT IRRITATION.

MAY BE HARMFUL IF IN CONTACT WITH OR ABSORBED THROUGH THE SKIN.

- ... Contains Asphalt CAS# 8052-42-4 or CAS# 64742-93-4, Heavy paraffinic distillate solvent extract CAS# 64742-04-7 or CAS# 64742-10-5, Styrene butadiene polymer CAS# 9003-55-8 and Film and/or Mesh Comprising Various Components.
- ... Repeated skin contact with Rubberized asphalt adhesive in this product may result in slight irritation. Prolonged or repeated skin contact with the Unprocessed naphthonic oils contained in the Rubberized asphalt in this product may, without washing, cause an increased risk of skin cancer, liver damage, blood effects and effects on the unborn based on tests with laboratory animals. Skin cleansing studies with aromatic oils show that the toxic effects are not likely to occur in humans if good personal hygiene practices are used.
- ... Eye contact with oil residue on hands may result in irritation.
- ... Release liners are slippery. Remove from work area immediately after membrane application.
- ... Removal of the release liner may generate a static electrical discharge (spark).
- ... Read and understand all Health and Safety information on the product Label and Material Safety Data Sheet before use.

**NFCA-HMIS Hazard Index:**

- o Health: 2 \*
  - o Flammability: 1
  - o Reactivity: 0
  - o Personal Protection: B
- (See Section 8)

**Potential Health Effects****Routes of Exposure:****Inhalation:**

There are no known health effects due to inhalation. Due to the physical nature of this product, inhalation is unlikely.

**Skin and Eye:**

SKIN: Prolonged or repeated contact with the Heavy paraffinic distillate solvent extract in this product may produce serious toxic effects including skin cancer. Animal tests indicate that prolonged and repeated skin contact to the oils in this product may produce local skin tumors.

EYE: Eye contact with oil residue may result in irritation.

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**SECTION 3 - HAZARDS IDENTIFICATION (Cont'd)**

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Ingestion:

There are no known health effects due to ingestion. Due to the physical nature of this product, ingestion is unlikely. Wash hands completely before eating.

Carcinogenicity Information:

**Heavy Paraffinic Distillate Solvent Extract:** This product contains 15-35% of a Heavy paraffinic distillate solvent extract which has been shown to cause cancer in laboratory animals. It is classified by IARC as a positive human carcinogen.

**Petroleum Asphalt:** In March, 1987 the International Agency for Research on Cancer (IARC) classified bitumens (such as the petroleum asphalt in this product) as a Group 3 material, "not classifiable as to its carcinogenicity to humans". This classification was made based on inadequate evidence for the carcinogenicity of undiluted air-refined bitumens in experimental animals and inadequate evidence that bitumens alone are carcinogenic to humans. However, Asphalt does contain a small amount of Polycyclic aromatic hydrocarbons which have been shown to cause cancer and respiratory damage in animals. NIOSH recently conducted mouse skin painting studies using selected fractions of Asphalt fume condensate. Skin application of the condensate fractions resulted in skin tumors in laboratory mice.

Laboratory animals exposed to repeated applications of Asphalt materials for their entire lifetime have developed skin tumors primarily at the site of application. The Asphalt material was not washed off between exposures. Intermittent or occasional skin contact with petroleum Asphalts is not expected to have serious health effects as long as good personal hygiene measures, such as those outlined in this Material Safety Data Sheet, are followed.

No carcinogenic effects were observed during lifetime inhalation studies with laboratory animals; although lung damage in the test animals was observed. Findings included bronchitis, pneumonitis and abscess formation, among others, similar to problems caused by other non-specific irritants.

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**SECTION 4 - FIRST AID MEASURES**

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SKIN: In case of skin contact, promptly cleanse the area with waterless hand cleaner, thoroughly clean fingernails and follow by washing with soap and water. See Section 8 of the MSDS for further information.

EYE: If eye irritation develops due to contact with oil residue on hands, flush eyes with plenty of water. Consult a physician if eye or skin irritation develops or if swallowed.

INHALATION: If symptoms develop due to inhalation, get fresh air. If breathing is difficult, give oxygen. If not breathing, give artificial respiration. Get medical attention immediately.

INGESTION: If swallowed, contact a physician immediately. The decision to induce vomiting should only be made by a physician. Never give anything by mouth to an unconscious person.

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**SECTION 5 - FIRE FIGHTING MEASURES**

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Flash Point: >210°C (>410°F)

Flammable Limits:

Method Used: Open Cup

LEL NA

UEL NA

N.F.P.A. Rating: H-1 F-1 R-0

Extinguishing Media

Water fog, alcohol foam, dry chemical or Carbon dioxide.

Special Fire Fighting Procedures

Firefighters should be equipped with Self-Contained Breathing Apparatus (SCBA) to prevent inhalation of hazardous decomposition product.

Unusual Fire and Explosion Hazards

Removal of the release liner may generate a static electrical discharge (spark). Do not remove release liner where spark may ignite flammable vapors.

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**SECTION 6 - ACCIDENTAL RELEASE MEASURES**

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Waste of this product is not defined as hazardous according to U. S. EPA (40 CFR § 261.3).

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**SECTION 7 - HANDLING AND STORAGE INFORMATION**

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**Precautionary Measures:**

- ... Promptly cleanse hands with waterless hand cleaner, clean fingernails and wash hands with soap and water after handling.
- ... Release liners are slippery. Remove from work area immediately after membrane application.
- ... Do not remove release liner where spark may ignite flammable vapors.
- ... Slippery when wet or covered by frost.
- ... Consistent with good roofing practice, always wear fall protection when working on a roof deck.
- ... Do not apply where membrane odors may penetrate living areas.
- ... FOR PROFESSIONAL USE ONLY. KEEP OUT OF CHILDREN'S REACH.

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**SECTION 8 - EXPOSURE CONTROLS/PERSONAL PROTECTION**

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**Ventilation:**

- |                |                              |
|----------------|------------------------------|
| Local Exhaust: | Not required for normal use. |
| Mechanical:    | Not required for normal use. |
| Special:       | Not Applicable               |
| Other:         | Not Applicable               |

**Respiratory Protection:**

Wear NIOSH-approved respiratory protection to prevent employee exposures from exceeding the limits specified in Section 2.

**Skin Protection:**

In order to avoid prolonged or repeated contact with oil residue, use of oil impervious gloves is recommended.

**Eye Protection:**

Not required for normal use.

**Other Protective Clothing or Equipment:**

Not Applicable

**Work/Hygienic Practices:**

Avoid rubbing eyes while handling. Due to the physical nature of this product, ingestion is unlikely. Incidental ingestion of rubberized asphalt residue on hands can be avoided by using good personal hygiene practices.

This product contains Heavy paraffinic distillate solvent extract. Heavy paraffinic distillate solvent extract contain high concentrations of Polycyclic aromatic compounds, some of which have been shown to cause skin cancer in humans, under conditions of poor personal hygiene and prolonged, repeated contact. Certain components of these compounds have also produced harmful effects in laboratory animals after absorption through the skin. Although these effects have been principally to the liver and blood-forming organs, the unborn young of these animals may also be affected. The animal experiments also showed that these effects can be prevented by thorough removal of the oil from the skin. Skin cleansing studies with aromatic oils show that the toxic effects are not likely to occur in humans if good personal hygiene practices are used.

M-85698 (Asia Pacific)

## MATERIAL SAFETY DATA SHEET

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**SECTION 9 - PHYSICAL AND CHEMICAL PROPERTIES**

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Boiling Point: Not Applicable      Specific Gravity(H<sub>2</sub>O=1) 1.0-1.1

Vapor Pressure (mm Hg.) Not Applicable      % Volatiles Negligible

Vapor Density(AIR = 1) Not Applicable      Evaporation Rate Not Applicable  
(Butyl Acetate = 1)

Solubility in Water: Negligible      pH Not Applicable

Bulk Density (#/cu. ft): ~70

Appearance and Odor: A black, rubberized asphalt adhesive layer  
on a grey/black plastic sheet with a paper  
or plastic release sheet. Petroleum odor.

Odor Threshold:  
Unknown

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**SECTION 10 - STABILITY AND REACTIVITY**

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Stable under normal conditions (yes or no): YES

Conditions or Materials to avoid (which may react or cause instability):  
Strong oxidizers

Hazardous Decomposition or Byproducts:  
Carbon monoxide, Sulfur oxides, Asphyxiants

Hazardous Polymerization:  
Not Applicable

Conditions to Avoid:  
Not Applicable

---

**SECTION 11 - TOXICOLOGICAL INFORMATION**

---

INGREDIENT (Chemical Name, CAS#, & Common Name)	TOXICITY DATA: LD <sub>50</sub> & LC <sub>50</sub>  (See Section 2 for Exposure Limits)
<b>Asphalt</b>	No Toxicity Data Available

CAS# 8052-42-4/  
64742-93-4

**Heavy paraffinic distillate  
solvent extract**

CAS# 64742-04-7/  
64742-10-5

LD<sub>50</sub> Oral (Rat) = 5 g/kg

M-85698 (Asia Pacific)

**MATERIAL SAFETY DATA SHEET**

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**SECTION 12 - ECOLOGICAL INFORMATION**

None Available At This Time

**SECTION 13 - DISPOSAL CONSIDERATIONS**

Consult all regulations (federal, state, provincial, local) or a qualified waste disposal firm when characterizing waste for disposal. Dispose of waste in accordance with all applicable regulations.

**SECTION 14 - TRANSPORT INFORMATION**Transportation Hazard ClassificationPROPER SHIPPING: NonhazardousNAME

HAZARD CLASS: Nonhazardous  
IDENTIFICATION #: Not Applicable  
LABEL(s) REQUIRED: Not Applicable

Surface Freight Classification: Asphalt Mixture, N.O.I.B.N.

**SECTION 15 - REGULATORY INFORMATION**

(Not Meant To Be All Inclusive  
Selected Regulations Represented)

**SARA TITLE III REPORTING INFORMATION**Tier I & II HAZARD CATEGORIES:

DELAYED (CHRONIC) HEALTH  
IMMEDIATE (ACUTE) HEALTH

Contains Extremely Hazardous-SARA III Section 302 Ingredient: NO  
Comments:

Contains Toxic Chemical Release-SARA III Section 313 Ingredient: NO  
Comments:

**Other Government Reporting Requirements:****CHEMICAL INVENTORY CERTIFICATION:****For U.S. Products ONLY**

All ingredients contained in this product are included on the US EPA Toxic Substances Control Act (TSCA) Inventory or exempt from listing on the TSCA Inventory.

**For Canadian Products ONLY**

All ingredients contained in this product comply with the requirements of the Canadian Environmental Protection Act (CEPA) and are listed on the Domestic Substance List (DSL) or Non-Domestic Substance List (NDSL).

M-85698 (Asia Pacific)

**MATERIAL SAFETY DATA SHEET**

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**CALIFORNIA PROPOSITION 65 INFORMATION:** WARNING! This product contains substances known to the State of California to cause cancer, birth defects and other reproductive harm.

**WHMIS CLASS:** D-2B

This product has been classified in accordance with the hazard criteria of the Controlled Products Regulation (CPR). This MSDS contains all the information required by the CPR.

Nonhazardous Ingredient Disclosure:

Styrene butadiene polymer CAS# 9003-55-8 and Polyolefin film.

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**SECTION 16 - OTHER INFORMATION**

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The information contained in this Material Safety Data Sheet is applicable to the following products:

BITUTHENE® WATERPROOFING MEMBRANE 3000, 5000, 9004, 9016, 5004, 4008, 2000, 6000  
 BITUTHENE® WATERPROOFING MEMBRANE 374, CP, CP (LT), 2000LT, 3000LT  
 BITUTHENE® WATERPROOFING MEMBRANE STRIPS 3000, 5000, 3000-90  
 BITUTHENE® LOW TEMPERATURE WATERPROOFING MEMBRANE, MEMBRANE STRIPS  
 BITUTHENE® SYSTEM 4000 WATERPROOFING MEMBRANE, MEMBRANE STRIPS  
 PERM-A-BARRIER® WALL, FLASHING, PERM-A-BARRIER® WALL MEMBRANE,  
 PERM-A-BARRIER® LOW TEMPERATURE MEMBRANE, PAB SYSTEM 4000  
 GRACE ICE & WATER SHIELD®, GRACE ICE & WATER SHIELD® (LT), PRMA MEMBRANE  
 INSULWRAP P-300, P-400, P-460 AND P-500, PITWRAP CW  
 VYCOR® SELECT, VYCOR® V40 WEATHER BARRIER STRIPS, VYCOR® PLUS  
 VYCOR® BASIK™  
 BITUSTIK™, HATCH TAPE

And the low temperature variants (indicated by LT) for the above products.

This is to be used for the BIT 3000LT, BIT 2000LT, GRACE ICE & WATER SHIELD (LT), BIT CP (LT), where a low temperature compound will be used.

"THE DATA INCLUDED HEREIN ARE PRESENTED IN ACCORDANCE WITH VARIOUS ENVIRONMENT, HEALTH AND SAFETY REGULATIONS. IT IS THE RESPONSIBILITY OF A RECIPIENT OF THIS DATA TO REMAIN CURRENTLY INFORMED ON CHEMICAL HAZARD INFORMATION, TO DESIGN AND UPDATE ITS OWN PROGRAM AND TO COMPLY WITH ALL NATIONAL, FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS APPLICABLE TO SAFETY, OCCUPATIONAL HEALTH, RIGHT-TO-KNOW AND ENVIRONMENTAL PROTECTION."

**DISCONTINUED PRODUCT AS OF 01/01/2000**

M-85648

**MATERIAL SAFETY DATA SHEET**

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**SECTION 1 - CHEMICAL PRODUCT AND COMPANY IDENTIFICATION**

MSDS PREPARED BY: Environmental Health Dept.-Grace Construction Products

W.R.Grace &amp; Co.-Conn.

Grace Canada, Inc.

62 Whittemore Ave.

294 Clements Rd. West

Cambridge, MA 02140

Ajax, Ontario, L1S 3C6

Telephone Number for Information and Emergency Response

In USA: (617) 876-1400

In Canada: (905) 683-8561

MSDS Number: M-85648

000001

Cancels MSDS # M-85635

Date: 09/29/1998

**Trade Names and Synonyms:****WATERPROOFING PRIMERS (See Section 16  
Of MSDS For Product ID/Trade Name)****(SEE SECTION 16 FOR ADDITIONAL  
PRODUCT IDENTIFICATION)****Chemical Names and Family:**Synthetic Rubber Solution in Organic  
Solvent**Product Use:**

Horizontal and Vertical Grade Primer

**Formula:**

Mixture-NA

**CAS# (Chemical Abstract Service):**

MIXTURE-NA

**SECTION 2 - HAZARDOUS INGREDIENT AND MAJOR COMPONENT INFORMATION****(See Section 11 for Complete Chemical Names)****EXPOSURE LIMITS (See Section 8 for Canadian Limits)**

INGREDIENT:	Max.% By Wt.	Exposure Limits		
		OSHA	ACGIH	OTHER
**NAPHTHENIC OIL	5.00	*PEL - 5mg/m <sup>3</sup>	*TLV - 5mg/m <sup>3</sup>	None Established
CAS# 64742-52-5		*Oil Mist	*Oil Mist	
ETHYLBENZENE	20.00	PEL-100 ppm (435 mg/m <sup>3</sup> )-TWA	TLV-100 ppm (434 mg/m <sup>3</sup> )-TWA	NIOSH PEL-100ppmTWA (435 mg/m <sup>3</sup> )
CAS# 00100-41-4		STEL-125 ppm (545 mg/m <sup>3</sup> )	STEL-125 ppm (543 mg/m <sup>3</sup> )	STEL-125 ppm (545 mg/m <sup>3</sup> )
TOLUENE	1.00	100 ppm - TWA (375 mg/m <sup>3</sup> -TWA)	100 ppm - TWA (377 mg/m <sup>3</sup> -TWA)	NIOSH 100 ppm - TWA
CAS# 00108-88-3		150 ppm - STEL	150 ppm - STEL	200 ppm - Ceiling
XYLENE	65.00	PEL-100ppm (435 mg/m <sup>3</sup> )-TWA	TLV-100ppm (434 mg/m <sup>3</sup> )-TWA	NIOSH 100ppm (435 mg/m <sup>3</sup> -TWA)
CAS# 01330-20-7		STEL-150ppm STEL-655 mg/m <sup>3</sup> -TWA	STEL-150ppm (651 mg/m <sup>3</sup> )	STEL-150ppm STEL-655 mg/m <sup>3</sup> -TWA



**DISCONTINUED PRODUCT AS OF 01/01/2000**

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MATERIAL SAFETY DATA SHEET

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**SECTION 3 - HAZARDS IDENTIFICATION****Emergency Overview:****Warning Statements:****WARNING! FLAMMABLE LIQUID.**

- ... Mixture contains Xylene CAS# 1330-20-7, Ethyl benzene CAS# 100-41-1, Toluene CAS# 108-88-3, Severely hydrotreated heavy Naphthenic oil CAS# 64742-52-5, Hydrocarbon resin CAS# 68131-77-1, Styrene butadiene polymer CAS# 9003-55-8 and 1,4 Dialkylamino anthraquinone CAS# 71819-49-3.
- ... **VAPORS MAY IGNITE EXPLOSIVELY.**
- ... **VAPORS ARE HEAVIER THAN AIR AND MAY TRAVEL TO DISTANT SOURCES OF IGNITION AND FLASH BACK.**
- ... Harmful if swallowed or inhaled.
- ... Overexposure to vapors may cause dizziness, headache, weakness, euphoria, excitement, drowsiness, incoordination, cardiac distress, central nervous system depression, confusion, coma or death at high concentrations (See MSDS-Section 3).
- ... **FORCED VENTILATION AND/OR A NIOSH-APPROVED RESPIRATOR MUST BE USED WHEREVER EXPOSURES CANNOT BE MAINTAINED BELOW EXPOSURE LIMITS-CONSULT (See MSDS-SECTIONS 2 & 8).**
- ... May cause irritation to eyes, skin and respiratory tract.
- ... Read and understand all Health and Safety information on the product Label and Material Safety Data Sheet before use.

**NPCA-HMIS Hazard Index:**

- o Health: 3 \*
- o Flammability: 3
- o Reactivity: 0
- o Personal Protection: B,G  
(See Section 8)

**Potential Health Effects****Routes of Exposure:****Inhalation:**

Read MSDS Sections 2 & 8 for current Exposure Limits before use. May cause irritation of the nose, throat, and respiratory tract. Inhalation may cause central nervous system depression and minor reversible effects upon liver and kidneys. At high concentrations vapor may cause dizziness, staggering, drowsiness and unconsciousness. Also, at very high concentrations, breathing vapors may cause pulmonary edema (excessive fluid in the lungs), anorexia (loss of appetite), nausea, vomiting, abdominal pain (pain in the stomach area), chemical pneumonitis (inflammation of the lungs), hemorrhage (bleeding), respiratory depression, coma or death. Hearing loss, reproductive and mutagenic hazards are possible from repeated overexposure based on tests with laboratory animals.

The solvent in this product has a low order of acute oral and dermal toxicity, but minute amounts aspirated into the lungs during ingestion or vomiting may cause mild to severe pulmonary injury and possibly death.

**DISCONTINUED PRODUCT AS OF 01/01/2000**

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**MATERIAL SAFETY DATA SHEET**

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**SECTION 3 - HAZARDS IDENTIFICATION (Cont'd)**

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Skin and Eye:

Exposure to vapor may cause eye irritation. Repeated exposure to high concentrations of vapor may cause reversible eye damage. Contact with eyes or skin may cause irritation. Prolonged or repeated contact may defat skin (remove the natural protective oils) leading to irritation or dermatitis (inflammation) resulting in itching, redness and rash.

Ingestion:

Based on ingredient information, the oral toxicity is estimated to be low and, therefore, not expected to be harmful if swallowed in small amounts. However, actual toxicity of the finished product is unknown. Therefore, ingestion of any amount should be avoided. Ingestion may cause symptoms similar to those of inhalation. Aspiration of liquid into lungs, which can be caused by vomiting, can cause systemic effects similar to those of inhalation.

The solvent in this product has a low order of acute oral and dermal toxicity, but minute amounts aspirated into the lungs during ingestion or vomiting may cause mild to severe pulmonary injury and possibly death.

Carcinogenicity Information:

OSHA - No  
IARC - No  
NTP - No

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MATERIAL SAFETY DATA SHEET

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**SECTION 4 - FIRST AID MEASURES**

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SKIN: In case of skin contact, thoroughly clean fingernails and wash skin with soap and water, waterless hand creams or abrasive soap. If irritation develops, consult a physician.

EYE: In case of eye contact, flush eyes with plenty of water for 15 minutes and consult a physician.

INHALATION: If symptoms develop due to inhalation, get fresh air. If breathing is difficult, give oxygen. If not breathing give artificial respiration. Get medical attention immediately.

SWALLOWED: If swallowed contact a physician immediately. Decision to induce vomiting should only be made by a physician. Never give anything by mouth to an unconscious person.

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**SECTION 5 - FIRE FIGHTING MEASURES**

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Flash Point: ~80°F/27°CFlammable Limits:Method Used: Tag Closed Cup (Xylene)LEL 1.0UEL 7.0N.F.P.A. Rating: H-2 F-3 R-0Extinguishing Media

Carbon dioxide; dry chemical or foam

Special Fire Fighting Procedures

Water spray may be ineffective. Water may be used to cool closed containers in order to prevent pressure build up and possible auto-ignition or explosion when exposed to extreme heat. Fog nozzles are preferred if water is used.

Unusual Fire and Explosion Hazards

Keep containers closed except when in use. Keep away from heat, electrical equipment, sparks, and open flame. Closed containers may explode when exposed to extreme heat. Vapors are heavier than air and may travel along ground to ignition sources distant from materials handling point such as electrical equipment, smoking materials, welding torches, pilot lights, etc. Extinguish all pilot lights and all sources of ignition. Product or product residue can ignite explosively. Do not cut, drill, grind, or weld on or near container whether empty or full. Flammable Liquid - Class IB.

**DISCONTINUED PRODUCT AS OF 01/01/2000**

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**MATERIAL SAFETY DATA SHEET**

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**SECTION 6 - ACCIDENTAL RELEASE MEASURES****U.S. RELEASES**

Because of the Xylene content (CAS# 1330-20-7) this product is considered a hazardous substance under the U.S. EPA Clean Water Act. Spills of this product must be reported to the National Response Center at 1-800-424-8802. Spill reporting requirements and reportable quantities vary by region. In case of any spill or release, consult all applicable state and local regulations.

Observing all precautions noted above, absorb spilled product with an inert noncombustible material and remove for disposal. Remove all sources of ignition. Do not use metal shovels or other tools which could create sparks.

Waste which results from the clean up of spilled product, absorbed by a noncombustible absorbing media would not be considered a hazardous waste once the Xylene (ignitable content) has evaporated.

Waste/rejected product consisting of unused liquid product in sealed containers is an EPA Hazardous Waste #D001 (due to its ignitability). Dispose of all waste at a disposal facility as permitted by applicable government regulations.

**CANADIAN RELEASES**

Prevent spills from entering drinking water supplies or streams. Observing above precautions, collect liquid or solidify with an inert noncombustible material and remove for disposal.

Dispose of all waste in accordance with all applicable government regulations.

**SECTION 7 - HANDLING AND STORAGE INFORMATION****Precautionary Measures:**

- ... **Forced ventilation is necessary in pits and other confined or poorly ventilated areas. (See MSDS-Sections 2 & 8)**
- ... Avoid inhaling vapors or mists even when adequate ventilation is available.
- ... **KEEP AWAY FROM HEAT, SPARKS, OPEN FLAMES, ELECTRICAL EQUIPMENT, SMOKING MATERIALS, WELDING TORCHES, PILOT LIGHTS, ETC.**
- ... Enforce no-smoking policy for all trades present on job site.
- ... When working around heating and air conditioning systems, block air intake vents to prevent vapor from traveling into buildings.
- ... Avoid contact with eyes, skin and clothing.
- ... In case of fire use Carbon dioxide, dry chemical or foam.
- ... Keep container closed tightly when not in use to avoid unnecessary release of vapors and to prevent spills.
- ... Bond and ground containers if transferring product.
- ... Do not reuse empty containers.
- ... Do not cut, drill, grind or weld on or near container whether full or empty.
- ... **FOR PROFESSIONAL USE ONLY. KEEP OUT OF CHILDREN'S REACH.**

## DISCONTINUED PRODUCT AS OF 01/01/2000

M-85648

MATERIAL SAFETY DATA SHEET

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### SECTION 8 - EXPOSURE CONTROLS/PERSONAL PROTECTION/CANADIAN EXPOSURE LIMITS

---

#### Ventilation:

Explosion-proof portable ventilation is required to prevent vapor build up in spray applications or during application in enclosed or depressed areas. Vapors are heavier than air and will build up in confined spaces without ventilation. Vapor build up can be life threatening. Portable equipment such as a Coppus Vano] portable blower/exhauster should be used in accordance with the manufacturer's instructions.

#### Respiratory Protection:

A chemical cartridge respirator with organic vapor cartridge is required at or above the Permissible Exposure Limit (PEL). Consult MSDS Section 2 for exposure limits. A dust/mist cartridge or prefilter may be needed in addition to control exposure to mists. Supplied air or self-contained breathing apparatus is required at higher exposure levels above the capabilities of a chemical cartridge respirator.

## DISCONTINUED PRODUCT AS OF 01/01/2000

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MATERIAL SAFETY DATA SHEET

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### SECTION 8 - EXPOSURE CONTROLS/PERSONAL PROTECTION/CANADIAN EXPOSURE LIMITS (Cont'd)

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#### Skin Protection:

PVA supported polyvinyl alcohol gloves are recommended. Natural rubber gloves should not be used.

#### Eye Protection:

Wear goggles to prevent exposure to high vapor concentrations. Wear goggles, safety glasses or a full face shield to prevent contact due to splashing.

#### Other Protective Clothing or Equipment:

Normal work clothes with long sleeves should be worn.

#### Work/Hygienic Practices:

You and your personnel must completely understand the fire and explosion hazards before using solvent-based products. Any of your employees or other contractor's personnel who come in contact with this product should be informed of all precautions required for safe handling.

All containers for products which may involve safety hazards must be labeled to identify the precautions required. Your personnel should be made aware of the precautions identified on the product labels as well as all the information contained above in this Material Safety Data Sheet and the following:

1. Smoking must not be permitted anywhere in the vicinity of the work when using solvent-based products.
2. Use of flames, sparks, or electrical equipment shall not be permitted in or near the work area. This includes welding, soldering, or other activities involving flames, sparks or high heat sources. Do not cut, drill, grind, or weld on or near container whether empty or full. Solvent vapors have been known to migrate from the work site. Therefore, remote ignition sources should be extinguished.
3. Positive ventilation may be required to avoid build up of solvent vapors. Particular attention should be given to low areas such as pits, depressions or trenches which may collect vapors which are heavier than air. Particular care must be taken in enclosed areas, or in situations where wind cannot naturally ventilate the work area. Forced ventilation may be required if natural ventilation is inadequate. Careful review of the above respiratory protection and ventilation control is essential!

## DISCONTINUED PRODUCT AS OF 01/01/2000

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MATERIAL SAFETY DATA SHEET

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**SECTION 8 - EXPOSURE CONTROLS/PERSONAL PROTECTION/CANADIAN EXPOSURE LIMITS (Cont'd)**

Ingredients	Provincial Exposure Limits				
	ACGIE	ALBERTA	B.C.	ONTARIO	QUEBEC
XYLENE:	100ppm-8 hr TLV	100ppm-8 hr	100ppm-8 hr	100ppm-8hr TWAEV	100ppm-AVE
CAS# 1330-20-7	150ppm-STEL	150ppm-15 Min	150ppm-15 Min	150ppm-15 Min STEV	150ppm-Max
ETHYL BENZENE	100ppm-TLV	100ppm-8 hr	100ppm-8 hr	100ppm-TWAEV	100ppm-AVE
CAS# 100-41-4	125ppm-STEL	125ppm-15 Min	125ppm-15Min	125ppm-STEV	125ppm-Max
TOLUENE	100ppm-TLV	100ppm-8 hr	100ppm-8 hr	-----	100ppm-AVE
CAS# 108-88-3	150ppm-STEL	150ppm-15 Min	150ppm-15 Min	-----	150ppm-Max

0450f

**DISCONTINUED PRODUCT AS OF 01/01/2000**

M-85648

**MATERIAL SAFETY DATA SHEET**

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**SECTION 9 - PHYSICAL AND CHEMICAL PROPERTIES**

<u>Boiling Point:</u> 280°F/138°C (estimated)	<u>Specific Gravity</u> (H <sub>2</sub> O=1) 0.9 (Xylene)
<u>Vapor Pressure</u> (mm Hg.) 6-10 (Xylene)	<u>% Volatiles</u> -80
<u>Vapor Density</u> (AIR = 1) 3.7 (Xylene)	<u>Evaporation Rate</u> 0.75 (Xylene) (Butyl Acetate = 1)
<u>Solubility in Water:</u> Practically Insoluble	<u>pH</u> Not Available
<u>Bulk Density</u> (#/cu. ft): Not Applicable	
<u>Appearance and Odor:</u> Smooth black liquid with aromatic solvent odor.	
<u>Odor Threshold:</u> Xylene = 1.1 ppm	

**SECTION 10 - STABILITY AND REACTIVITY**

Stable under normal conditions (yes or no): YES

Conditions or Materials to avoid (which may react or cause instability):  
Heat sources, sparks, open flame.

Hazardous Decomposition or Byproducts:

Depending upon temperature and environmental conditions, a variety of decomposition products may be present including, but not limited to Methane, Propane, Carbon monoxide, Carbon dioxide, Acrolein, Halogenated compounds, Acids, Ketones and Aldehydes.

Hazardous Polymerization:

Will not occur.

Conditions to Avoid:

None Known



**DISCONTINUED PRODUCT AS OF 01/01/2000**

M-85648

**MATERIAL SAFETY DATA SHEET**

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**SECTION 11 - TOXICOLOGICAL INFORMATION**

INGREDIENT (Chemical Name, CAS#, & Common Name)	TOXICITY DATA LD <sub>50</sub> , LC <sub>50</sub> etc. (See Section 2 for Exposure Limits)
Xylene (Xylol, Dimethyl- benzene) (CAS# 1330-20-7)	LD <sub>50</sub> (Oral rat) = 4,300 mg/kg LC <sub>50</sub> (Inhalation rat) = 5,000ppm/ 4 hr.
Ethyl Benzene (CAS# 100-41-4)	LD <sub>50</sub> (Oral rat) = 3,500 mg/kg
Toluene (CAS# 108-88-3)	LD <sub>50</sub> (Oral rat) = 5,000 mg/kg

**SECTION 12 - ECOLOGICAL INFORMATION**

None Available At This Time

**SECTION 13 - DISPOSAL CONSIDERATIONS****U.S. DISPOSAL**

Waste which results from the clean-up of spilled product, absorbed by a noncombustible absorbing media, would not be considered a hazardous waste once the Xylene (ignitable content) has evaporated.

Waste/rejected product consisting of unused liquid product in sealed containers IS an EPA Hazardous Waste #D001 (due to its ignitability). Dispose of all waste at a disposal facility as permitted by applicable government regulations.

Consult all regulations (federal, state, provincial, local etc.) or a qualified waste disposal firm when characterizing waste for disposal. Dispose of waste in accordance with all applicable regulations.

**CANADIAN DISPOSAL**

Consult all regulations (federal, state, provincial, local etc.) or a qualified waste disposal firm when characterizing waste for disposal. Dispose of waste in accordance with all applicable regulations.

**DISCONTINUED PRODUCT AS OF 01/01/2000**

M-85648

MATERIAL SAFETY DATA SHEET

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**SECTION 14 - TRANSPORT INFORMATION****Transportation Hazard Classification**

United States DOT	Canadian Regulations
PROPER SHIPPING:	TDC CLASS:
NAME	
HAZARD CLASS:	Hydrocarbons, liquid, NOS
IDENTIFICATION #:	(Xylene, Ethyl Benzene),
LABEL(s) REQUIRED:	3, UN3295, III

Surface Freight Classification: Not Applicable

**SECTION 15 - REGULATORY INFORMATION**(Not Meant To Be All Inclusive  
Selected Regulations Represented)**SARA TITLE III REPORTING INFORMATION****Tier I & II HAZARD CATEGORIES:**

DELAYED (CHRONIC) HEALTH  
FIRE  
IMMEDIATE (ACUTE) HEALTH

Contains Extremely Hazardous-SARA III Section 302 Ingredient: NO  
Comments:

Contains Toxic Chemical Release-SARA III Section 313 Ingredient: YES  
Comments: Contains ~65% Xylene; ~20% Ethyl benzene; ~1% Toluene.

**Other Government Reporting Requirements:****CHEMICAL INVENTORY CERTIFICATION:****For U.S. Products ONLY**

All ingredients contained in this product are included on the US EPA Toxic Substances Control Act (TSCA) inventory or exempt from listing on the TSCA inventory.

**For Canadian Products ONLY**

All ingredients contained in this product comply with the requirements of the Canadian Environmental Protection Act (CEPA) and are listed on the Domestic Substance List (DSL) or Non-Domestic Substance List (NDSL).

**CALIFORNIA PROPOSITION 65 INFORMATION:** WARNING! The State of California has determined that one or more substances in this product may cause cancer, birth defects or other reproductive harm.

**VOLATILE ORGANIC COMPOUNDS:**

This product meets the definition of "Quick Dry" under Architectural Coatings regulations.

Bituthene P-3000 Primer	VOC Content: 710 g/l
Bituthene Green Concrete Primer	VOC Content: 710/g/l
Bituthene Low VOC Content Primer	VOC Content: 450 g/l

## DISCONTINUED PRODUCT AS OF 01/01/2000

M-85648

MATERIAL SAFETY DATA SHEET

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### WHMIS CLASS:

Class-B, Division-2: Flammable Liquids

This product has been classified in accordance with the hazard criteria of the Controlled Products Regulation (CPR). This MSDS contains all the information required by the CPR.

263bf

### Nonhazardous Ingredient Disclosure:

Hydrocarbon Resin CAS# 06831-77-1,  
Styrene Butadiene Polymer CAS# 09003-55-8

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### SECTION 16 - OTHER INFORMATION

The information contained in this Material Safety Data Sheet is applicable to the following products:

Bituthene P-3000 Primer  
Bituthene Green Concrete Primer  
Bituthene Low VOC Content Primers

### DISCONTINUED PRODUCTS:

PRMA Primer (Discontinued 1995)  
Bituthene Low VOC Green Concrete Primer (Discontinued 9/12/94)  
Servi Wrap Primers (Discontinued 1/98)

"THE DATA INCLUDED HEREIN ARE PRESENTED IN ACCORDANCE WITH VARIOUS ENVIRONMENT, HEALTH AND SAFETY REGULATIONS. IT IS THE RESPONSIBILITY OF A RECIPIENT OF THIS DATA TO REMAIN CURRENTLY INFORMED ON CHEMICAL HAZARD INFORMATION, TO DESIGN AND UPDATE ITS OWN PROGRAM AND TO COMPLY WITH ALL NATIONAL, FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS APPLICABLE TO SAFETY, OCCUPATIONAL HEALTH, RIGHT-TO-KNOW AND ENVIRONMENTAL PROTECTION."

## **EXHIBIT 2**

**E-mail Correspondence from W.R. Grace.**

Yahoo! My Yahoo! Mail

**YAHOO! Mail**

Welcome, **drp2p**  
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**From:** John.J.Henningson@grace.com [Add to Address Book](#)

**Date:** Tue, 25 May 2004 10:51:09 -0400

**Subject:** RE: MSDS issue

**To:** drp2p@yahoo.com

Peter, the GRM White coating was a Xylene based primer with a pigment added. The product was discontinued prior to 1986 when sold or discontinued its roofing line of products. I do not have an electronic copy of the MSDS and the information be quite outdated from a current regulatory perspective. I have attached a copy of the MSDS for Water Proofing Primers (Also a Discontinued Product) which was a more current Xylene based product. This should better represent the GRM White Coating product from a current regulatory perspective. Please let me know if you need additional information.

Best Regards,  
John

-----Original Message-----

**From:** drp2p@yahoo.com [mailto:drp2p@yahoo.com]

**Sent:** Monday, May 24, 2004 5:53 PM

**To:** Henningson, John J.

**Subject:** RE: MSDS issue

Dear Mr. Henningson,  
I do thank you for looking, even if the MSDS form is out of date it will work for my purposes. The coating was also used on the GRM 120 product as well; providing that helps.

Respectfully Yours,

Peter

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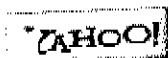
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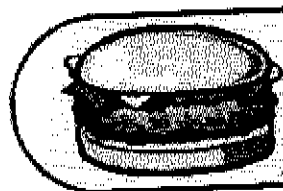
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**From:** John.J.Henningson@grace.com [Add to Address Book](#)

**Date:** Mon, 24 May 2004 09:51:57 -0400

**Subject:** RE: FW: Grace Corp website feedback: EHS

**To:** drp2p@yahoo.com

I can remember this product from my early years as Grace. I  
been able to locate an MSDS our roofing line of products wer  
sold or discontinued over ten years ago. I will keep looking  
MSDS  
however it will be outdated fro a current regulatory perspec

John Henningson  
Product Steward (Americas)  
Grace Dept of EH&S

-----Original Message-----

**From:** drp2p@yahoo.com [mailto:drp2p@yahoo.com]

**Sent:** Friday, May 21, 2004 4:12 PM

**To:** Henningson, John J.

**Subject:** Re: FW: Grace Corp website feedback: EHS

Dear Mr. Henningson,  
Thank you for replying to my request regarding the  
MSDS form on the GRM product. There is another GRM  
product which I need an MSDS form for, and that is the  
white coating that went with the GRM 230 product. I  
cannot recall the name of the coating, except the it  
was part of the GRM 230 product line.

Hope you can find it.

Peter

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**From:** John.J.Henningson@grace.com [Add to Address Book](#)

**Date:** Wed, 19 May 2004 09:13:33 -0400

**Subject:** FW: Grace Corp website feedback: EHS

**To:** drp2p@yahoo.com

**CC:** David.J.Curreri@grace.com

Peter, I have been forwarded your e-mail concerning the MSDS Membrane. As you have mentioned this is a discontinued product like to provide you with our current MSDS for Grace Waterproofing Membrane. This MSDS is a generic document would represent the GRM Membrane from a current regulatory standpoint this meets your needs and if you have questions or need additional information please e-mail or call me at the number below.

John Henningson  
Product Steward (Americas)  
Grace Dept of EH&S  
(617) 498-4560

-----Original Message-----

From: Fasting, Ted  
Sent: Monday, May 17, 2004 7:17 AM  
To: Curreri, David J.  
Subject: FW: Grace Corp website feedback: EHS

Please reply accordingly.

Thanks

-----Original Message-----

From: drp2p@yahoo.com [mailto:drp2p@yahoo.com]  
Sent: Friday, May 14, 2004 4:34 PM  
To: Fasting, Ted  
Subject: Grace Corp website feedback: EHS

Feedback email from www.grace.com website re

Name: Peter P. Pearson

Email: [drp2p@yahoo.com](mailto:drp2p@yahoo.com)

Message: Dear Sir / Madam,

Would you please provide me with the MSDS sheets for the GRM Roof

Membrane) line of products that were discontinued in the early 90's. If you do not have these archived please tell me where to get them.

Thanks

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Received: from server53.grace.com ([65.61.160.53]) by relay2.grace.com with ESMTTP; id i4EKTBqs026465 for <[ted.fasting@grace.com](mailto:ted.fasting@grace.com)>; Fri, 14 May 2004 16:29:14 (EDT)

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Date: Fri, 14 May 2004 15:34:05 -0500 (CDT)

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Subject: Grace Corp website feedback: EHS

Mime-Version: 1.0

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**Exhibit 3**  
**Affidavit from Peter P. Pearson**



